



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/207,945 | 12/09/1998 | BINH NGUYEN | 5577-115 | 7467 |

20792 7590 06/29/2005

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

| |
|----------|
| EXAMINER |
|----------|

HUYNH, THU V

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2178

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/207,945

Applicant(s)

NGUYEN ET AL.

Examiner

Thu V Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/21/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

- 1.. This action is responsive to communications: RCE and IDS filed on 12/21/2004 to application filed on 12/09/1998.
2. Claims 1-48 are pending in the case. Claims 1, 8, 12, 17, 24, 28, 33, 40, and 44 are independent claims.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 12/21/2004 was filed after the mailing date of the notice of allowance on 12/17/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

4. Claims 3, 19 and 35 are objected to because of the following informalities:

Regarding dependent claims 3, 19, 35, which is dependent on claims 1, 17 and 33 respectively, the use of “how content objects are displayed within the requested Web page” has typographical error, since the generated Web page includes only “a content object”. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2178

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-6, 8-22, 24-38, 40-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas, US 6,128,663, priority filed 02/1997, in view of Durst, JR. et al., US 2003/0093384 A1, priority filed 05/1998, and Hawkins, US 2001/0032254 A1, filed 05/1998.

Regarding independent claim 1, Thomas teaches the steps of:

- storing a record of a user request within a web server (Thomas, col.4, lines 23-52; storing a record of a user request within a remote server);
- generating a requested web page, wherein the generated web page includes a content object having a unique identifier associated therewith (Thomas, col.5, lines 14-29; col.6, lines 5-22; generating a web page includes objects, such as randomly selected image banner advertisement 108 and hyperlink button 108. Each object having a unique identifier associated therewith, such as image file and URL);
- serving the generated web page to the web client (Thomas, col.5, lines 14-19; displaying the generated web page to the user);
- appending the stored record of the user request with the unique identifier associated with the content object included within the generated web page

(Thomas, col.7, lines 18-30; appending the demographic information with the URL).

However, Thomas does not explicitly disclose the web server log and unique identifier is generated via a hashing function.

Durst teaches demographic and user information is stored in a web server log (Durst, [0066], [0077]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Durst into Thomas to provide a log file to store user information, since the combination would have allowed the system to store user's demographic in a log file or a database.

Hawkins teaches unique identifier is generated via hashing function along with each hyperlink (Hawkins, [0378], [0379]).

It would have been obvious to a version of ordinary skill in the art at the time the invention was made to have combined Hawkin into Thomas and Durst to provide a unique identifier which is generated by a hash function, since the combination would have allowed to request a document in a compressed form as Hawkins disclosed in paragraph [0727].

Regarding claim 2, which is dependent on claim 1. Thomas discloses wherein the record of the request includes information that identifies the user (Thomas, col.4, lines 23-52, lines 49-58).

Regarding claim 3, which is dependent on claim 1. Thomas also discloses the method according to claim 1 wherein the step of generating the requested web page comprises the steps of:

- retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page (Thomas, col.5, lines 15-56; retrieving a web document that specifies how an advertisement image and link button are displayed in the document for customizing);
- retrieving the content objects (Thomas, col.5, lines 38-56; retrieving advertisement more suitable for the user); and
- combining the content objects and the layout template to produce the requested web page (Thomas, col.5, lines 15-56; combining the retrieved advertisement into the web document for displaying).

Regarding claim 4, which is dependent on claim 3. Thomas discloses the method according to claim 3 wherein the content object is selected from the group of image files, hyperlinks (Thomas, col.5, lines 15-56, advertisement image and link button).

Regarding claim 5, which is dependent on claim 1. Thomas teaches analyzing a plurality of stored user request records to determine web content preferences of a user.

Durst teaches analyzing a plurality of stored user request records to determine web content preferences of a user (Durst, [0059]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Durst and Thomas to provide an appropriate web page for a user, since the user demographic used to determine web content preference of a user as Durst disclosed.

Regarding claim 6, which is dependent on claim 1. Thomas does not disclose the step of appending the stored record of the user request with a time stamp for a subsequence user request for a web page.

Durst teaches appending the stored record of the user request with a time stamp for a subsequence user request for a web page (Durst, [0059]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Durst and Thomas to help the server more accurately analyze the user's records to determine web content preferences of a user, since such information would have used to determined files to be dynamically generated for the user as Durst disclosed.

Regarding independent claim 8, Thomas teaches the steps of:

- generating the requested web page, wherein the generated web page includes first and second content objects having respective unique first and second identifiers associated therewith (Thomas, col.5, lines 14-29; col.6, lines 5-22; generating a web page includes objects, such as randomly selected image banner advertisement(s) 108 and hyperlink button 108. Each object having a unique identifier associated therewith, such as image file and URL);

Art Unit: 2178

- serving the generated web page to the web client (Thomas, col.5, lines 14-19; displaying the generated web page to the user);
- retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page (Thomas, col.5, lines 15-56; retrieving a web document that specifies how an advertisement image and link button are displayed in the document for customizing);
- retrieving the first and second content objects (Thomas, col.5, lines 38-56; retrieving advertisements more suitable for the user); and
- combining the first and second content objects and the layout template to produce the requested web page (Thomas, col.5, lines 15-56; combining the retrieved advertisements into the web document for displaying).

Dependent claim 9 includes limitations of claim 2, and is rejected under the same rationale.

Dependent claim 10 includes limitations of claim 4, and is rejected under the same rationale.

Dependent claim 11 includes limitations of claim 5, and is rejected under the same rationale.

Regarding independent claim 12, Thomas teaches the steps of:

- associating dynamically generated web page content with a user who requests a web page from a web server via a web client in communication with the web server (Thomas, col.5, lines 14-29; col.6, lines 5-22) comprising the steps of:

- generating a requested web page, wherein the generated web page includes a content object having a unique identifier associated therewith (Thomas, Thomas, col.5, lines 14-29; col.6, lines 5-22; generating a web page includes objects, such as randomly selected image banner advertisement(s) 108 and hyperlink button 108. Each object having a unique identifier associated therewith, such as image file and URL); and
- serving the generated web page to the web client (Thomas, col.5, lines 14-19; displaying the generated web page to the user).

Dependent claim 13 includes limitations of claim 2. Refer to the rationale relied to reject claim 2, wherein the record of the request includes information that identifies the user is addressed. The rationale is incorporated herein.

Dependent claim 14 includes limitations of claim 3. Refer to the rationale relied to reject claim 3, wherein retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page; retrieving the content objects; and combining the content objects and the layout template to produce the requested web page are addressed. The rationale is incorporated herein.

Dependent claim 15 includes limitation of claim 4. Refer to the rationale relied to reject claim 4, wherein the content object is selected from the group consisting of text file, audio files, video files, image files and hyperlinks is addressed. The rationale is incorporated herein.

Dependent claim 16 includes limitation of claim 5. Refer to the rationale relied to reject claim 6, the step of analyzing a plurality of stored user request records to determine Web content preference of a user is addressed. The rationale is incorporated herein.

Claims 17-22 and 24-32 are for a computer system performing the method of claims 1-6 and 8-16, respectively and are rejected under the same rationale.

Claims 33-38 and 40-48 are for a computer program performing the method of claims 1-6 and 8-16, respectively and are rejected under the same rationale.

7. Claims 7, 23, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas in view of Durstand Hawkins as applied in claim 6 above and further in view of Gerace, US 5,991,735 A1, filed 05/1998.

Regarding claim 7, which is dependent on claim 6. Thomas does not disclose the step of determining a length of time the user views the generated web page using the time stamp within the store record.

Gerace teaches determining a length of time a user views the generated web page using a time stamp within a store record (Gerace, col.2, lines 38-42; col.7, lines 44-47).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gerace into Durst and Thomas to provide a suitable web page for the user, since the combination would have determined appropriate advertisements for the user based on analyzing of users' demographic.

Art Unit: 2178

Claim 23 is for a computer system performing the method of claim 7 and is rejected under the same rationale.

Claim 39 is for a computer program performing the method of claim 7 and is rejected under the same rationale.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
June 17, 2005


STEPHEN HONG
SUPERVISORY PATENT EXAMINER